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In re Application of :  
Verra et al. :  
Application No. 10/560,146 :  
PCT No.: PCT/FR04/01446 :  
Int. Filing Date: 10 June 2004 : **DECISION**  
Priority Date: 12 June 2003 :  
Atty. Docket No.: 377/9-2182 :  
For: Bone Marrow Aspiration Trocar :

This is in response to the "Submission of New Declaration" filed on 22 October 2007, which is in effect a renewed submission under 37 CFR 1.42.

### DISCUSSION

In a decision mailed on 18 May 2007, the declaration filed on 14 November 2006 was not accepted under 37 CFR 1.42, without prejudice, because

Ollivier Verra, Florence Verra and Raphael Verra are not only represented to be heirs; they also have been nominated as the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> inventors, respectively. Since the declaration nominates an inventive entity differing from that appearing in the published international application, and since neither evidence of the recording of a change under PCT Rule 92*bis* nor a grantable submission under 37 CFR 1.497(d) has been submitted, it would not be appropriate to accept the declaration filed on 14 November 2006 at this time.

In response, applicants have provided a new declaration which satisfies the requirements of 37 CFR 1.497(a) and (b).

### CONCLUSION

The declaration filed on 22 October 2007 is **ACCEPTED** under 37 CFR 1.42.

This application is being forwarded to the Office of Patent Application Processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **22 October 2007**.

/George Dombroske/  
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